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23/09/2020

Dear Sir/Madam,

BWRIAD / PROPOSAL: DISCHARGE OF CONDITIONS 8 AND 9 (ECOLOGY) OF PLANNING APPEAL DECISION APP/H6955/A/19/3233167 (P/2018/0997) – ERECTION OF 23 AFFORDABLE RESIDENTIAL UNITS WITH ASSOCIATED PARKING, LANDSCAPING AND ANCILLARY WORKS

LLEOLIAD / LOCATION: LAND COMPRISING PART OF FORMER WOODLANDS FARM DODDS LANE, GWERSYLLT, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 31/8/2020.

We have significant concerns with the application as submitted. We do not recommend your Authority discharges condition 9, as explained below.

We have no objection to the discharge of condition 8.

Condition 8

Condition 8 states *“No development shall commence until a scheme of Reasonable Avoidance Measures (RAMs) in respect of Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority”*.

We have reviewed the ecological report submitted in support of the discharge of this condition: (Logan, A, (2020), Method Statement: Great Crested Newt Reasonable Avoidance Measures. Avian Ecology).

We consider the submission to be satisfactory and that condition 8 may be discharged.

Condition 9

Condition 9 states the following:

“No development shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:

- a) *A detailed plan of mitigation area for Great Crested Newts;*
- b) *An Ecological Method Statement including a timetable for the implementation of the habitat mitigation measures;*
- c) *A long-term Management and Monitoring Plan for the mitigation area; and,*
- d) *A Bio-security Risk Assessment”.*

We note the submission of the following ecological report in support of the discharge of condition 9: Logan, A, (2020). Great Crested Newt Mitigation Strategy. Avian Ecology. Unpublished

We advise that the plan lacks the following material components:

1. Aims and objectives;
2. Tenure and any proposed changes to tenure;
3. Competencies required for survey and management; and
4. Derogation licences required for survey and management

Overall, the submitted great crested newt mitigation strategy does not address our concerns and we advise that condition 9 is not discharged until additional information is provided, as explained further below.

- a) *A detailed plan of mitigation area for Great Crested Newts*

Section 3.2 of the ecological submission is titled *Habitat Enhancement and Creation*, however, no plan appears to have provided illustrating the location of the mitigation area.

We note that section 4.1 of the ecological submission is titled *Aquatic and Terrestrial Habitat Management*. In our view the mitigation scheme should include the construction of at least 1 no. pond. We would be concerned if this prescription is not included within the provisions of an updated ecological submission

The submission is therefore unsatisfactory in respect of this specific provision.

- b) *An Ecological Method Statement including a timetable for the implementation of the habitat mitigation measures;*

No timetable appears to have been submitted for implementing the proposed measures or in respect of implementing habitat creation and enhancement measures. The submission is therefore unsatisfactory in respect of this provision.

- c) *Long-term Management and Monitoring Plan for the mitigation area*

Section 4.1 of the ecological submission is titled *Aquatic and Terrestrial Habitat Management* however we were unable to identify any aquatic habitat management prescriptions within the submitted document. In addition, no licensing or competency requirements were identified.

Section 5 of the ecological submission is entitled *Monitoring and Review* however no satisfactory monitoring prescriptions including key performance indicators were identified.

The ecological submission is therefore unsatisfactory in respect of this specific provision.

d) *A Bio-security Risk Assessment*.

Biosecurity is considered in section 4.2 of the ecological submission. The ecological submission fails, in our view, to appropriately consider biosecurity issues, particularly on completion of the development.

The ecological submission is therefore unsatisfactory in respect of this specific provision

We can provide further advice once in receipt of additional information as explained above.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Bryn Griffiths

Uwch-gynghorydd - Cynllunio Datblygu / Senior Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales